THE HONOURABLE SRI JUSTICE N.V.RAMANA

WRIT PETITION No. 25639 of 2006

DATED: 4-1-2007

Between:

D.V.Gopal and others

…Petitioners

and

The Vice-Chairman and Managing Director,
APSRTC, Hyderabad and others

…Respondents

Oral order:

This writ petition is filed questioning the proceedings issued by the 2nd respondent dated 23-10-2006 and 30-10-2006 disengaging the services of the petitioners as Conductors Grade II in Kurnool Region as illegal, arbitrary and contrary to law and for a consequential direction to the respondents to re-engage the petitioner into service.

The crux of the arguments of the learned counsel for the petitioners is that on one hand the respondents are dis-engaging the services of the petitioners and on the other hand they are issuing notification for appointment of casual conductors. According to the learned counsel for the petitioners, the action of the respondents in disengaging the petitioners is illegal.

The respondents filed counter admitting the fact that the petitioners were engaged and dis-engaged as vacancies did not exist in Kurnool region, and also due to sufferance of losses because of slack season. As per the conditions of engagement of the petitioners, they are being engaged wherever required and are being dis-engaged after their requirement is over. It is contended that due to introduction of Ticket Issuing Machines, the recruitment of regular conductors has been reduced drastically. The petitioners only on apprehension that they will not be re-engaged, filed the present writ petition. The notification dated 21.11.2006 is in respect of appointment of daily wage conductors on contract basis for the year 2007-08. At any rate, it is stated that the contract engagement will be made only after engaging the dis-engaged casual conductors.

In view of the averments made by the respondents in the counter that the dis-engagement of the petitioners is temporary, and they would be re-engaged as and when their services are required, irrespective of

the notification dated 21.11.2006 issued by the respondents, which in fact, it is stated by the respondents, has been issued for appointment of daily wage conductors on contract basis, I am of the considered opinion that the petitioners have filed this writ petition only on apprehension that they would not be re-engaged, and that other candidates would be recruited in pursuance of the recruitment notification, ignoring their cases.

The writ petition is devoid of merit, and the same is accordingly closed. No costs.

N.V. RAMANA, J

4th January, 2007
GRR/NSR